

*W*  
JUDGE'S COPY

YORK County Prison  
3400 Concord Road  
YORK, PA 17402  
Date, August, 9, 2001

1:CV-01-1282

Name Desmond V. Gayle  
ID# 55438

To: the Clerk of Court,  
United States District Court,  
Middle District of PENNSYLVANIA  
U.S Courthouse  
228 Walnut Street  
P.O. Box 983  
HARRISBURG, PA 17108

FILED  
HARRISBURG, PA  
AUG 13 2001  
MARY E. PANDREA, CLERK  
Per *SPZ*  
REPLICA CLERK

Dear Clerk of Court,

Good Day  
I am responding to the Order;  
given on August 7<sup>th</sup> 2001, By the  
HONORABLE Judge William W. Caldwell

I have made several attempts  
to obtain legal help on my own  
but failed. I wrote to ANGUS & ROONES  
4503 NORTH FRONT STREET, HARRISBURG  
PA. 17110 Phone # 717-238-6791  
and they have turned me down

I also wrote to another Lawyer,  
Attorney at Law!  
MR. WAYNE SACHS,  
1601 MARKET STREET  
Suite 690  
Philadelphia, PA. 19103

These Attorneys Required  
Money for their Services,  
And I personally don't have  
Any money to pay for Legal  
Assistance.  
∴ So therefore! I need help  
from the Court, to proceed  
With my case.

MR Mitchell D Kessler  
Attorney at Law  
225 Broadway, Suite 2400  
New York, New York 1007  
Phone # (212) 687-0800  
turn me down.

I have Medical Proof in my  
Record at York County Prison  
that I am Mentally sick, and taking  
Medication call Zyprexa.  
~~possibly~~  
~~any money left~~ Your Respectfully

B. J. Gayle

**Mitchell D. Kessler**

Attorney at Law

225 BROADWAY, SUITE 2400  
NEW YORK, NEW YORK 10007  
TELEPHONE (212) 608-0800 FAX: (212) 608-1551

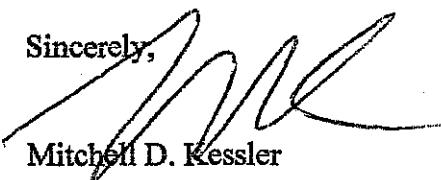
July 31, 2001

Desmond V. Gayle #55438  
York County Prison  
3400 Concord Road  
York, PA 17402

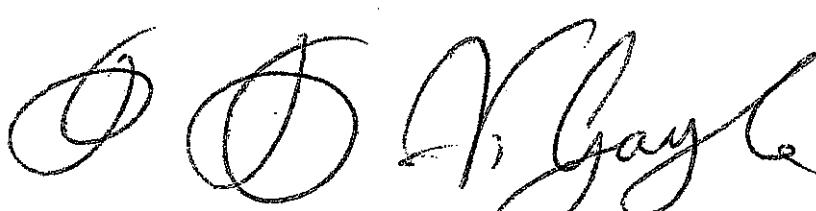
Dear Mr. Gayle:

I am sorry but I cannot represent you. Best wishes.

Sincerely,

  
Mitchell D. Kessler

MDK/rm  
Enclosure

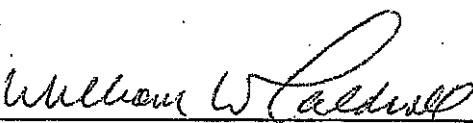
  
August, 9, 2001

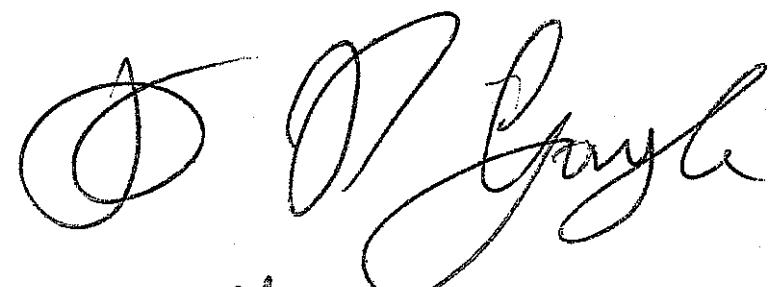
6 F.3d at 157 n.5. Gayle does not indicate he attempted to obtain counsel on his own before asking the court to do it for him.

Therefore, Gayle's motion for appointment of counsel will be denied. In the event, however, that future proceedings demonstrate the need for counsel, the matter may be reconsidered either sua sponte or upon a motion properly filed by the plaintiff.

AND NOW, this 7th day of August, 2001, it is ordered that:

1. Gayle's Application for the Assignment of Counsel is construed as a motion for appointment of counsel.
2. Plaintiff's motion for appointment of counsel (doc. 8) is denied.

  
William W. Caldwell  
WILLIAM W. CALDWELL  
United States District Judge

  
O. D. Gayle  
August 19, 2001